

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		1	ATTORNEY'S DOCKET NUMBER ETF-0026
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 101538400	
INTERNATIONAL APPLICATION NO. PCT/EP2003/050962	INTERNATIONAL FILING DATE 8 December 2003	PRIORITY DATE CLAIMED 9 December 2002	
TITLE OF INVENTION FOIL-TYPE SWITCHING ELEMENT WITH DIELECTRIC LAYER			
APPLICANT(S) FOR DO/EO/US WERNER BIECK, ET AL.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 			
Items 13 to 23 below concern document(s) or information included:			
<ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV62682743US 23. <input checked="" type="checkbox"/> Other items or information: 			
CLAIM FOR PRIORITY UNDER 35 U.S.C. 119			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px;">24. <input checked="" type="checkbox"/> Basic national fee</td> <td style="width: 10%; text-align: right; padding: 2px;">\$300</td> <td style="width: 30%; padding: 2px;">CALCULATIONS PTO USE</td> </tr> <tr> <td colspan="2" style="padding: 2px;">25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).</td> <td style="padding: 2px; text-align: right;">\$ \$300.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">All other situations.</td> <td style="padding: 2px; text-align: right;">\$ \$200.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;">26. <input checked="" type="checkbox"/> Search fee</td> <td style="padding: 2px; text-align: right;">\$ \$100</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td style="padding: 2px; text-align: right;">\$ \$400</td> </tr> <tr> <td colspan="2" style="padding: 2px;">International Search Report prepared and provided to the Office</td> <td style="padding: 2px; text-align: right;">\$ \$500</td> </tr> <tr> <td colspan="2" style="padding: 2px;">All other situations.</td> <td style="padding: 2px; text-align: right;">\$ \$400.00</td> </tr> <tr> <td colspan="2" style="padding: 2px; text-align: right;">TOTAL OF 24, 25 and 26 =</td> <td style="padding: 2px; text-align: right;">\$ \$900.00</td> </tr> <tr> <td colspan="3" style="padding: 2px;"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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No. 47,535 CANTOR COLBURN LLP 55 Griffin Road South Bloomfield, CT 06002 Telephone: 860-286-2929 Customer No.: 23413 </td> </tr> <tr> <td colspan="3" style="text-align: right; padding: 5px;">  SIGNATURE </td> </tr> <tr> <td colspan="3" style="text-align: right; padding: 5px;"> Daniel F. Drexler <u>JUN. 09-2005</u> NAME <u>47,535</u> REGISTRATION NUMBER </td> </tr> </table>			24. <input checked="" type="checkbox"/> Basic national fee	\$300	CALCULATIONS PTO USE	25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).		\$ \$300.00	All other situations.		\$ \$200.00	26. <input checked="" type="checkbox"/> Search fee		\$ \$100	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$ \$400	International Search Report prepared and provided to the Office		\$ \$500	All other situations.		\$ \$400.00	TOTAL OF 24, 25 and 26 =		\$ \$900.00	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): WERNER BIECK, ET AL.

Docket No. 10998400

JC17 Red PCT/PTO 07 JUN 2005

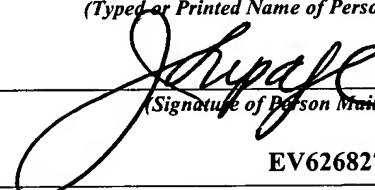
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit
			23413	

Invention: **FOIL-TYPE SWITCHING ELEMENT WITH DIELECTRIC LAYER**

I hereby certify that the following correspondence:

Patent Application under 35 U.S.C. 371; Preliminary Amendment; IDS; PTO 1449; Priority Sheet*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 9, 2005
*(Date)***Jennifer Lepage***(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***EV626827435US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**